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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.		
10/764,280	01/23/2004	Gary Malcolm Briscoe	7423	9687		
75	7590 08/26/2005			EXAMINER		
Gauthier & Co Suite 3300	onnors LLP		· PICKETT,	JOHN G		
225 Franklin Str	reet		ART UNIT	PAPER NUMBER		
Boston, MA 0	2110		3728			
			DATE MAILED: 08/26/2009	ς .		

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action	Application No.	Applicant(s) BRISCOE, GARY MALCOLM	
Before the Filing of an Appeal Brief	Examiner	Art Unit	
	Gregory Pickett	3728	
The MAILING DATE of this communication ap	pears on the cover sheet v	vith the correspondence ac	ddress
THE REPLY FILED 04 August 2005 FAILS TO PLACE THIS	APPLICATION IN CONDITI	ON FOR ALLOWANCE.	
<ol> <li>The reply was filed after a final rejection, but prior to or this application, applicant must timely file one of the fol places the application in condition for allowance; (2) a l a Request for Continued Examination (RCE) in complia time periods:</li> </ol>	lowing replies: (1) an amend Notice of Appeal (with appea ance with 37 CFR 1.114. The	Iment, affidavit, or other evid al fee) in compliance with 37	lence, which CFR 41.31; or (3)
a) The period for reply expires 4 months from the mailing day.	•	o ant facts in the final uniontion .	biahawaa ia fator da
<ul> <li>The period for reply expires on: (1) the mailing date of this no event, however, will the statutory period for reply expir</li> </ul>		•	
Examiner Note: If box 1 is checked, check either box (a) TWO MONTHS OF THE FINAL REJECTION. See MPER	or (b). ONLY CHECK BOX (b) V	-	
Extensions of time may be obtained under 37 CFR 1.136(a). The data have been filed is the date for purposes of determining the period of	· ·		

Exter have under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**NOTICE OF APPEAL** 

!. L	] The Notice of Appeal was filed on A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of
	filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since
	a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).
	MENDAMENTO

2. If the Notice of Appeal was fired of A prefit of outphiance with 7 of (41.37 must be fined within two months of the date of (12.4.27 of ). A prefit of outphiance with 7 of (41.37 must be fined within two months of the date of (12.4.27 of ).
filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since
a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).
<u>AMENDMENTS</u>
3. The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will <u>not</u> be entered because
(a) 🔀 They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for
appeal; and/or
(d) They present additional claims without canceling a corresponding number of finally rejected claims.
NOTE: See Continuation Sheet. (See 37 CFR 1.116 and 41.33(a)).
4. The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. Applicant's reply has overcome the following rejection(s):
6. Newly proposed or amended claim(s) would be allowable if submitted in a separate, timely filed amendment canceling the
non-allowable claim(s).
7. For purposes of appeal, the proposed amendment(s): a) will not be entered, or b) will be entered and an explanation of
how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: Claim(s) objected to:
Claim(s) objected to: Claim(s) rejected: 1-10.
Claim(s) rejected: <u>1-10</u> .  Claim(s) withdrawn from consideration:
AFFIDAVIT OR OTHER EVIDENCE
8. The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will <u>not</u> be entered
because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be
entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a
showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.
REQUEST FOR RECONSIDERATION/OTHER
11. The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
12. Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s).
13. Other:

Continuation of 3. NOTE: The inclusion of limitations concerning the recessed portion of the front part extending "inwards" and the relieved portion of the back part extending "outwards" raises new issues that would require further search and/or consideration.

Greg Pickett
Examiner
22 August 2005

Mickey Yu Supervisory Patent Examiner

Group 3700